

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HEARTREPRENEUR, LLC <i>et al.</i>	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 18-2417
JOCELYN JONES <i>et al.</i>	:	

ORDER

AND NOW, this 29th day of May, 2020, upon consideration of Defendants Jocelyn Jones, Karen Swanson, Karen Saxe Eppley, Robin Helm, and Vickie Helm's Second Motion to Dismiss Plaintiff's Amended Complaint (ECF No. 23), Defendants Cinnamon Alvarez and Tracy Revell's Motion to Dismiss Plaintiff's Amended Complaint (ECF No. 25), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED**, consistent with the accompanying Memorandum, that Defendants' Motions are **GRANTED** in part and **DENIED** in part as follows:

1. The Motions are **GRANTED** with respect to Defendants Jocelyn Jones, Karen Swanson, Robin Helm, Cinnamon Alvarez, Vickie Helm, and Tracy Revell. All claims against these Defendants are **DISMISSED**.
2. The Motions are **GRANTED** with respect to Plaintiff Heartpreneur's claim for trademark infringement (Count 5). Count 5 is **DISMISSED** as to Heartpreneur. The Motions are **DENIED** with respect to Plaintiff CCU's trademark infringement claim (Count 5).
3. The Motions are **DENIED** with respect to Plaintiffs claims for false advertising (Count 1); unfair competition (Count 2); and defamation (Count 4).

4. The Motions are **GRANTED** with respect to Plaintiff CCU's breach of contract claim (Count 3). Count 3 is **DISMISSED** as to CCU. The Motions are **DENIED** with respect to Plaintiff Heartpreneur's breach of contract claim (Count 3).
5. Defendants' Motions are **GRANTED** with respect to Plaintiffs' request for treble and/or punitive damages in its breach of contract claim (Count 3).
6. Defendants' Motions are **GRANTED** with respect to Plaintiffs' claim for injunctive relief (Count 6).

IT IS SO ORDERED.

BY THE COURT:

/s/ R. Barclay Surrick
R. BARCLAY SURRICK, J.